

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:

STEPHANIE MARIE FRYBACK

Debtor

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CASE NO. 05-16431

DECISION AND ORDER

At Fort Wayne, Indiana, on January 30, 2006

On January 6, 2006, Citizens Bank filed a Motion for Relief from Stay and Abandonment. The certificate of service filed with the notice of that motion indicates that the debtor, debtor's counsel, trustee and U.S. Trustee were served with notice of the motion and opportunity to object thereto and that additional parties were served by reference to an attached list. No such list was attached. All creditors and parties in interest are entitled to notice of the abandonment of property from the bankruptcy estate. See, Fed. R. Bankr. P. Rule 6007.

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion and Opportunity to Object and file a proof thereto within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in the motion being denied without prejudice and without further notice.

SO ORDERED.

/s/ Robert E. Grant
Judge, United States Bankruptcy Court